

IN THE CLAIMS

Kindly amend claim 17 asset forth below:

17. (Amended) A drug delivery system that comprises the following:

- (i) a hollow metal "seed" that has a diameter ranging from about 0.004 to 0.4 inches, a length ranging from about 0.002 to 3 inches, and a wall thickness ranging from about 0.0005 to 0.5 inches that can be inserted into a target in a tissue or organ site *in vivo* with high precision, wherein high precision means that the hollow seed is placed within about 1 millimeter of a target site in a tissue or organ, and having encapsulated therein
- (ii) at least one nucleic acid sequence, protein or polypeptide containing therapeutic agent, and
- (iii) having disposed therein one or more holes of a diameter that provide for the controlled diffusion of the encapsulated nucleic acid sequence protein or polypeptide containing therapeutic agent.

Kindly cancel claims 20, 23-28. Kindly add the following new claims:

--29. (New) The drug delivery system of Claim 17 wherein said metal is selected from the group consisting of platinum, titanium, stainless steel, silver, gold, and biocompatible alloys thereof.

30. (New) The drug delivery system of Claim 29, wherein the metal is titanium.

31. (New) The drug delivery system of Claim 17, wherein the nucleic acid sequence containing therapeutic agent is selected from the group consisting of a virus, viral vectors, plasmid, antisense oligonucleotide, and a ribozyme.

32. (New) The drug delivery system of Claim 17, wherein the protein or amino acid comprising therapeutic agent is selected from the group consisting of a cytokine, hormone, growth factor, toxin and an antibody.

33. (New) The drug delivery system of claim 17 wherein the hollow metal seed further comprises a radionuclide.—
